



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,932	02/26/2002	Richard L. Gray	AME-001	8342
22888	7590	12/30/2003	EXAMINER	
BEVER HOFFMAN & HARMS, LLP TRI-VALLEY OFFICE 1432 CONCANNON BLVD., BLDG. G LIVERMORE, CA 94550			ALEMU, EPHREM	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/083,932	GRAY, RICHARD L.
	<b>Examiner</b> Ephrem Alemu	<b>Art Unit</b> 2821

-- The MAILING DATE of this communication app appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 17 October 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4)  Claim(s) 1-13, 31, 32, 38 and 39 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 9-13, 31, 32, 38 and 39 is/are allowed.

6)  Claim(s) 1 and 2 is/are rejected.

7)  Claim(s) 3-8 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ . 6)  Other: \_\_\_\_ .

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilhite (US 6,253,066).

Re claims 1 and 2, Wilhite discloses an apparatus and method to produce a plurality of output signals (i.e., an apparatus and method of powering a cold cathode fluorescent light (CCFL) circuit) Fig. 5, the method including: determining a frequency provided to power the quadrature generator (i.e. CCFL circuit) based on a duty cycle (i.e., 50 %) of a driving waveform to the quadrature generator (i.e., CCFL circuit) (Fig. 5, 405, 415).

### ***Response to Arguments***

3. Applicant's arguments, see pages 9 and 10, filed 10-17-03, with respect to the rejections of claims 1-8 and 31 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn with regard to claims 3-8 and 31. However, upon further consideration, a new ground of rejection is made in view of Wilhite et al. (US 6,253,066) with regard to claims 1 and 2.

***Allowable Subject Matter***

4. Claims 9-13, 31, 32, 38 and 39 are allowed.
5. Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fail to teach or suggest, alone or in combination, the following limitations: “wherein determining frequency includes sensing a voltage of the driving waveform at a first node” as claimed in claim 3; “sensing a voltage at a second node that is proportional to a CCFL current; and generating a second DC signal that is proportional to a time-averaged voltage at the second node, wherein the second DC signal is used in determining the frequency” as claimed in claim 9; “selectively resetting a capacitance of the capacitor to zero at the beginning of every dimming cycle of the CCFL circuit, thereby providing a soft start on the line” as claimed in claim 31; “switching to a second current source, thereby limiting the voltage increase to a second predetermined amount based on the second current source and the capacitor” as claimed in claim 32; and “using a first and second current sources, respectively, to maintain the first and second predetermined values during a first and second transition of the input signal” in a manner claimed in claim 38.

Claims 4-8 are objected to as being directly or indirectly dependent over rejected dependent claim 3.

Claims 10-13 and 39 are allowed as being dependant over allowed claims 9 and 38.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wells et al. (US 6,400,096); Henry (US 6,198,234); and Noma et al. (US 6,184,631); also teach similar inventive subject matter.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ephrem Alemu whose telephone number is (703) 306-5983. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K Wong can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

EA  
12-28-03

*Alemu*  
12/28/03